

Adaptation Options for Discussion and Decision, April 26 2013

Options to Delete and Incorporate into another Option

1. **Delete the following and Incorporate into Option # 57:** Provide land managers, fisheries managers and farmers with the information and extension support necessary to manage lands and fisheries in areas affected by sea level rise
 - **Option #7** Provide sea level rise information to the Delaware Agricultural Land Preservation Program for consideration
 - **Option #8** Provide technical assistance to Delaware's Open Space Council for incorporating sea level rise into its criteria for acquisition of natural areas.
 - *The DE Ag Lands Preservation Program and the Open Space Council are both land manger/farmer organizations who would be provided support if # 57 were implemented*
2. **Delete the following and Incorporate into Option # 2:** Increase opportunities for technology transfers and regional coordination for transportation issues affected by sea level rise.
 - **Option # 3:** Develop a Federal Highways Administration climate change framework
 - **Option # 9:** Encourage the establishment of a sea level rise group within American Association of State Highway Transportation Officials
 - *The climate change framework and sea level groups proposed in #3 and #9 are specific actions that would accomplish the goal of increasing options for tech transfers and regional coordination*
3. **Delete the following and Incorporate into Option # 25:** Conduct a legal review for disinvestment of publically owned infrastructure and privately owned buildings.
 - **Option # 26:** Consider use of a Transfer of Development Rights tool to direct future growth away from vulnerable areas.
 - *Option #25 and #26 are closely linked and can be combined into one Option that would achieve legal reviews not only for disinvestment but also for land use tools and potentially new strategies for funding retreat or avoidance options.*
4. **Delete the following and incorporate into Option #61: Develop a database of costs of adaptation options for use by decision-makers and the public**
 - a. **Option # 60: Conduct a cost benefit analysis for adaptation**
 - b. **These two options are closely linked and including info on cost-benefit into the cost database would provide added value/benefit for users.**
5. **Delete the following and incorporate into Option # 59, Develop best management practice manuals for adaptation in Delaware.**
 - **Option # 12:** Develop local land use ordinances that encourage consideration of the effects of sea level rise in the siting and maintenance of public infrastructure.
 - *Option 12 is focused on providing guidance for local governments for infrastructure siting, which could be accomplished with a best management practice guide*

Options for Discussion and Decision

Option # 16: Evaluate the state Coastal Zone Act Regulations for changes that would increase flexibility for industries to adapt their shorelines and facilities to sea level rise. *This had support with caveats, with 10 specifically supporting and 3 not supporting.*

- There were several commenters who did not want to see this Act weakened and that they perceive that the Act is already too flexible in its interpretation.
- One commenter said Don't weaken, but provide technical assistance
- One commenter wanted to require climate change impacts and sea level rise to be considered in issuance of Coastal Zone Act Permits.
- One commenter said that streamlining and increasing flexibility are good objectives.
- **DCP Comments:** *During EO 36 Public Hearings, the Coastal Zone Act was brought up numerous times and is likely to see some review and revisions in the near future. The intent of this particular option was aimed at making sure that the regulations were not overly restrictive in allowing adaptation to occur on facilities permitted by the CZA. Comments from the public indicate some desire to do this, but also to ensure that sea level rise implications are considered in regulatory updates, as in #13. To cover both ends of the spectrum, this option could be retitled similar to #13 "Consider sea level rise implications in future regulatory updates for the Coastal Zone Act".*
- **DCP comments #2:** *To the comment about technical assistance, this is covered in #58.*

Option # 35: Improve the ability of homebuyers to investigate a property's potential vulnerability to sea level *There was mixed support for this option. Approximately 16 commenters supported this option; 6 did not support it.*

- One commenter wanted to wait until there is better data about what areas sea level rise will affect, and when (phase in after data collection options 44, 47, 65 and 55)
- One comment also addressed education efforts for living behind dikes and levees and that there may be a need for vulnerability "disclosure for people and businesses behind dikes and levees with questionable maintenance regimes
- Focus more on the education component, and less on the disclosure component. Spend more time describing the "Newark Model"
- Include better information about cost and availability of flood insurance in education efforts
- **DCP Recommendation:** *Focus this option on homebuyer education, to include making it easier for prospective homeowners to obtain info on SLR, Floodplain maps, flood preparedness and insurance info.*
- **Question to Committee:** *Should disclosure be mentioned either in this Option or elsewhere in the document text as an idea that was brought up and given significant consideration? It could also be highlighted as a long-term option, only to be implemented when data is good enough to support it.*